

The Honorable Paul B. Snyder
Chapter 11
Hearing Date: December 18, 2008
Hearing Time: 9:00 a.m.
Hearing Location: Tacoma, WA
Response Date: December 11, 2008

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA

In re

STEPHEN J. HUEFFED and AMY D.
TURNBULL,

Debtors.

Bankruptcy No. 08-46005-PBS

MOTION FOR JOINT
ADMINISTRATION OF CASES

Stephen J. Hueffed and Amy D. Turnbull, the Debtors in this Chapter 11 case, number 08-46005, by and through their counsel, Crocker Kuno PLLC, pursuant to 11 U.S.C. §105, Fed. R. Bankr. P. 1015, Local Bankruptcy Rule 9013-a and 1073-1, move for an order authorizing the joint administration of this case with the Chapter 11 case of La Ferme de Metras, LLC, case number 08-46007, filed November 14, 2008.

In support thereof, the Debtors state as follows:

1. Stephen J. Hueffed and Amy D. Turnbull are a married couple residing in Lewis County, Washington. Mr. Hueffed and Ms. Turnbull filed a Chapter 11 petition on November 14, 2008, and their case was assigned to the Honorable Paul B. Snyder.

MOTION FOR JOINT ADMINISTRATION OF CASES -1-

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1 Mr. Hueffed and Ms. Turnbull own a 66.6% majority interest in La Ferme de Metras.

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3 Mr. Hueffed's mother owns the remaining third.

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5 2. La Ferme de Metras is a limited liability corporation organized under the laws
6 of the State of Washington and headquartered in Doty, Washington. La Ferme de Metras
7 filed its Chapter 11 petition on November 14, 2008, and the case was assigned to the
8 Honorable Paul B. Snyder. La Ferme de Metras operates a short-term rental in Indianola,
9 Washington and has a sheep dairy and a cheese production facility in Doty, Washington.
10 Both businesses operate on real property owned by Mr. Hueffed and Ms. Turnbull. The
11 cheese and lamb products are sold wholesale and retail throughout the Pacific Northwest.

12 3. Pursuant to Bankruptcy Rule 1015(b)(4), if two or more petitions are pending in
13 the same court by a debtor and its affiliates, the court may order joint administration of the
14 estates. Local Bankruptcy Rule 1073-1 provides that a motion for joint administration of cases
15 shall be filed in accordance with Local Bankruptcy Rule 9013-1.

16 4. 11 U.S.C. § 101(2)(A) defines an "affiliate" as an "entity that directly or
17 indirectly owns, controls, or holds with the power to vote 20 percent or more of the outstanding
18 securities of the debtor...." Prior to entering such an order, the court shall give consideration to
19 protecting the creditors of the different estates against potential conflicts of interest. Fed. R.
20 Bankr. Pro. 1015(b). Moreover, when an order for joint administration is entered, the Court
21 may enter orders as may tend to avoid unnecessary costs and delay. Fed. R. Bankr. Pro.
22 1015(c).

1 5. Joint administration, as distinguished from consolidation, may include combining
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3 the estates by using a single docket for the matters occurring in the administration, including the
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5 listing of filed claims, the combining of notices to creditors of the different estates, and the joint
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7 handling of other purely administrative matters that may aid in expediting the cases and
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9 rendering the process less costly. *See* Advisory Committee Notes to Rule 1015 (1983); *see also*
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11 *In re McKenzie Energy Corp.*, 228 B.R. 854 (Bankr. Sd. Tex. 1998) (joint administration saved
12
13 costs).
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16 6. The purpose of joint administration is to make cases easier and less expensive
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18 than in separate cases without affecting the substantive rights of creditors or other parties in
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20 interest. *In re Hemingway Transport*, 954 F.2d 1, 11 (1st Cir. 1992); *In re Parkway Calabasas*
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22 *Ltd.*, 89 B.R. 832, 836 (Bankr. C.D. Cal. 1988).
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25 7. Here, joint administration of the cases of La Ferme de Metras and Mr. Hueffed
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27 and Ms. Turnbull is warranted because Mr. Hueffed and Ms. Turnbull own a majority interest in
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29 La Ferme de Metras and the creditors of Mr. Hueffed and Ms. Turnbull and La Ferme de Metras
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31 overlap almost completely.
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34 8. Additionally, the costs savings and administrative convenience of joint
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36 administration will be substantial. La Ferme de Metras and Mr. Hueffed and Ms. Turnbull,
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38 separately, are relatively small entities that cannot afford the additional expense of having their
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40 Chapter 11 cases administered individually. *Id.* In addition, there are no potential conflicts of
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42 interest which would preclude joint administration because the creditors in both cases overlap
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44 almost completely. *Id.*
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9. Accordingly, the Chapter 11 cases of La Ferme de Metras and Mr. Hueffed and Ms. Turnbull should be jointly administered by using a single docket for the matters occurring in the cases, including the listing of filed claims, the combining of notices to creditors of the different estates, and the joint handling of other purely administrative matters.

10. A proposed order is attached as Exhibit A.

WHEREFORE, Mr. Hueffed and Ms. Turnbull request that the Court enter an order for the joint administration of their Chapter 11 case with the Chapter 11 case of La Ferme de Metras and for such further relief as is just.

DATED this 25th day of November 2008.

Respectfully submitted:

CROCKER KUNO PLLC

By /s/ Chris Dale
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Attorneys for Debtors